

# Exhibit D

LAW DEPARTMENT  
NATIONAL TORT CENTER



**CERTIFIED NO. 70202450000146824100**  
**RETURN RECEIPT REQUESTED**

February 12, 2021

Mr. Richard L. Elem  
Law Offices of Jan Meyer & Associates, P.C.  
1029 Teaneck Road, 2<sup>nd</sup> Floor  
Teaneck, NJ 07666

RE: Your Client: GEICO aso Juan Peralta  
Your File No.: 0592902250101020  
Date of Incident: June 18, 2019

Dear Mr. Elem:

This is in reference to the request for reconsideration you filed on behalf of GEICO aso Juan Peralta regarding the administrative claim filed under the provisions of the Federal Tort Claims Act, as a result of injuries allegedly sustained on or about June 18, 2019.

The facts and circumstances set out in the claim file have been reviewed. No new evidence has been discovered to change our position on denial. Accordingly, this request for reconsideration is denied.

In accordance with 28 U.S.C. § 2401(b) and 39 C.F.R. 912.9(a), if dissatisfied with the Postal Service's final denial of an administrative claim, a claimant may file suit in a United States District Court no later than six (6) months after the date the Postal Service *mails* the notice of that final action. Accordingly, any suit filed in regard to this denial must be filed no later than six (6) months from the date of the mailing of this letter, which is the date shown above. Further, note the United States of America is the only proper defendant in a civil action brought pursuant to the Federal Tort Claims Act and such suit may be heard only by a federal district court.

Sincerely,

A handwritten signature in black ink, appearing to read "Kimberly A. Herbst". The signature is written in a cursive, flowing style.

Kimberly A. Herbst  
Supervisor, Tort Claim Examiner/Adjudicator

cc: Xiomara Nunez  
Tort Claims Coordinator  
File No. 110-19-00438337D

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